## ACEP Allocations & Payments

<table>
<thead>
<tr>
<th></th>
<th>FY 2019</th>
<th>FY 2020</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Federal $</td>
<td>Acres</td>
</tr>
<tr>
<td>Closings (Payments)</td>
<td>$11.8M</td>
<td>10,228</td>
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<tr>
<td>New Agreements</td>
<td>Allocated: $9.2M</td>
<td>22,531</td>
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<tr>
<td></td>
<td>Obligated: $14.6M</td>
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ACEP & the 2018 Farm Bill

STATUTE
Agricultural Improvement Act of 2018 (PL 115-334)

REGULATION
ACEP Interim Rule (7 CFR Part 1468)

POLICY
ACEP Program Manual (Title 440, CPM Part 528)

POLICY
Easement Common Provisions (Title 440, CPM Part 527)
Important Regulatory Changes to ACEP – Agricultural Land Easements (ALE)

- Buy-Protect-Sell
- Entity cash contribution restructured, added in ranking criteria
- Removal of cash contribution waivers
- Expanded entity certification requirements (3 ways)
- ALE plan requirement removed
  - Only HEL conservation plan requirement retained
  - Added a ranking criteria
- Defined “monitoring report”

NOTE: This information is based on the interim rule and is subject to change.
Several definitions created or redefined

Added STAC responsibilities for several provisions

Land eligibility determinations:
- USFWS input no longer required at the local level
- Minor adjustments to onsite/offsite conditions affecting restoration cost

Added priorities: Water quality and migratory birds (and other wildlife)

Specified items to address in wetlands restoration plan of operations (WRPO)

Total county cropland increased to 15%

New provisions for evaluation and authorization of compatible use authorizations

Specified ability to delegate monitoring to qualified organizations

**NOTE:** This information is based on the interim rule and is subject to change.
STAC Role in ACEP FY 2020/2021

- State Technical Advisory Committee input needed for:
  - Geographic Area Rate Cap (GARC) – WRE only
  - Wetland Restoration Criteria and Guidance (WRCG) document – WRE only
  - Definition of “Grasslands of Special Significance (GSS)” – ALE only
  - Ranking criteria – both programs
  - And more

- Subcommittee report upcoming
Geographic Area Rate Cap (GARC) – FY 2021

**Current GARC**

80% of Fair Market Value as determined by an Individual Appraisal, not to exceed $4,000/acre
Wetlands Restoration Criteria and Guidance (WRCG)

- Historic Wetlands
- Associated Habitats (Uplands)
- Alternative Vegetative Communities
- Land Eligibility, Ranking, & Priorities
- Easement Restoration & Management
- Much more!

Photo Credits: Microsoft, CNHP, Heather Foley & Rachel Murph (NRCS)
ALE – Grazing and Grasslands of Special Significance (GSS)
ALE – Protects Grazing Uses

- One of four ALE land eligibility categories
- Land that is:
  - Grassland
  - Rangeland
  - Pastureland
- Land that contains forbs
- Shrubland for which grazing is the predominant use
- Historically dominated by the above with additional conditions
ALE – Grasslands of Special Significance (GSS)

- Land that has the following characteristics:
  - Meets “Protects Grazing Uses” category
  - Little to no noxious or invasive species
  - Threat of conversion to non-grassland uses or fragmentation
  - Addresses T&E/at-risk species habitat or protects sensitive or declining resources
  - Up to 75% Federal share
ALE – GSS Sage Grouse

- Must meet “Protects Grazing Uses” category AND GSS criteria
- Part of the NRCS Sage Grouse Initiative (SGI)
- Must be in predetermined SGI focus areas
- Up to 75% Federal share from a special pool of funds
Ranking Criteria

- Eligible applications received by specific cut-off dates are ranked with other applications from the same pool using weighted ranking criteria.
- Ranking hierarchy determines funding order within a fund pool.
  - ALE
    - General
    - GSS
    - GSS – Sage Grouse
  - WRE – General
- Higher ranking = higher conservation value